1 2 3 4 JAK 02/14/2002 Item 37 95326 5 AN ORDINANCE 6 7 APPROVING THE FOLLOWING AMENDMENTS TO THE UNIFIED 8 DEVELOPMENT CODE AS RECOMMENDED BY THE PLANNING 9 AND ZONING COMMISSION: AMENDMENT "B" - 35-344(G) 10 AMENDMENT OF PUD AND MPDC PROVISIONS TO PROVIDE FOR 11 INCLUSION OF YARDS IN "OPEN SPACE"CALCULATION: 12 AMENDMENT "C" - 35-344(C) (1) ADDITION OF ZONING PREFIX 13 TO PUD DESIGNATIONS AND 35-344 (C) (2) AMENDMENT OF "DENSITY TABLE"; AMENDMENT "D" - ADD DEFINITION OF 14 15 THE INITIALS "NA" TO TABLE 311 AND 312; AMENDMENT "E" -35-311 DELETION OF BARS AND TAVERNS AS A PERMITTED USE 16 17 IN "NC" & "C-L" ZONING DISTRICTS AND ADDITION AS A 18 CONDITIONAL USE; AMENDMENT "F" - 35-311 DELETION OF 19 MANUFACTURED HOUSING AS A PERMITTED USE IN R-4 AND 20 RM4 AMENDMENT "G" - 35-422 (E)(1) ADD WORDING TO 21 CLARIFY THE NUMBER OF DESIGNATED USES ALLOWED 22 UNDER "CONDITIONAL ZONING"; AMENDMENT "H" - 35-353(A) 23 & (F) ADD TEXT (P 3 - 140 & P 3 - 141) TO CLARIFY PROPERTIES 24 ELIGIBLE FOR "NEIGHBORHOOD PRESERVATION DISTRICT" 25 DESIGNATION; AMENDMENT "I" - APPENDIX D ADD NOTE TO 26 CLARIFY CONVERSION OF EXISTING "R-A" AND "PUD" 27 DISTRICTS; AMENDMENT "J" - 35-311 ADDITION OF RADIO 28 AUTO ALARM INSTALLATION AS A PRIMARY USE IN THE 29 "TABLE 311-2"; AND PROVIDING FOR NOTIFICATION. 30 31 * * * 32 33 WHEREAS, the San Antonio City Council adopted the revised Unified Development 34 Code (UDC) on May 3 2001: and 35 36 WHEREAS, it was anticipated that in the adoption of the revised UDC, a methodology 37 would be necessary to address errors, omissions and implementation difficulties, resulting 38 in the creation of the Unified Development Code Technical Advisory Committee 39 (UDCTAC) to recommend substantive and procedural changes of the revised UDC to the 40 City Council; and 41 42 WHEREAS, the UDCTAC has initially recommended that 10 amendments be made 43 to the UDC; and 44 45 46 47

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WHEREAS, the amendments pertaining to zoning issues have been approved by the Zoning Commission; and

WHEREAS, the amendments pertaining to planning issues have been approved by the Planning Commission; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Amendments "B"

Chapter 35 Article III, Division 5, Section 35-344 (entitled

Planned Unit Development District "PUD") is hereby amended by adding the language that is Underlined (added) and deleting the language that is strickendeleted) to the existing text of said

section as follows:

(C) Permitted Uses and Density

(2) Density table

The PUD Plan shall divide the PUD into land use categories and shall indicate the uses permitted in each category. For residential land use categories, the maximum number of dwelling units permitted per acre for each land use category is as follows:

Land Use Category	Maximum Density
RE	1
R-20	2
R-6, RM6	7
R-5, RM5	9
R-4, RM 4	11
MF-25	25
MF-33	33
MF-40	40
MF-50	50

Land Use Category	Maximum Density
RE	1
R-20	2
R-6	6

RM-6	7
R-5	8
RM-5	9
R-4	10
RM-4	11
MF-25	25
MF-33	33
MF-40	40
MF-50	50

1 2

(g) Parks/Open Space

text of said section as follows:

 Each PUD plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Parks/Open Space shall include yards and any Parks/Open Space areas which conform to the Parks/Open Space Standards (§ 35-503) of this Chapter. Up to twenty (20) percent of the total open space requirement may be met by including one half of any accessible and contiguous parkland, unimproved floodplain, cemetery, or other beneficial open area which has a reasonable expectancy of perpetuity.

Chapter 35 Article III, Division 5, Section 35-344 (entitled Planned Unit

Development District "PUD") is herby amended by adding the language that is

underlined (added) and deleting the language that is strickendeleted) to the existing

Each PUD plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Parks/Open Space shall include yards, as well as any Parks/Open Space areas which conform to the Parks/Open Space Standards (§ 35-503) of the Chapter. Up to twenty (20) percent of the total open space requirement may be met by including one-half of any accessible and contiguous parkland, unimproved floodplain, cemetery, or other beneficial open area which has a reasonable expectancy of perpetuity,

Chapter 35 Article III, Division 5, Section 35-345 (entitled Master Planned Community District "MPCD") is herby amended by adding the language that is underlined (added) to the existing text as follows:

(I) Open Space

Each MPDC plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Open Space shall include yards, as well as any Parks or Open Space areas which conform to the Parks/Open Space Standards of this Chapter. Up to twenty (20) percent of the total open space requirement may be met by including one-half of any accessible and contiguous parkland, unimproved floodplain, cemetery, or other beneficial open area which has a reasonable expectancy of perpetuity,

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2	
3	SECTION 2. Amendment "C"
4 5	Chapter 35 Article III, Division 5, Section 35-344 (entitled Planned Unit
5 6 7	Development District "PUD") is herby amended by adding the language that is underlined (added) to the existing text of said section as follows:
8	
9	35-344 Planned Unit Development District ("PUD")
10 11	(c) Permitted uses and density
12	(c) I crimited uses and density
13	(1) Uses.
14	
15	A planned unit development may include residential, commercial and industrial uses;
16	cluster housing; common areas; unusual arrangements of structures on site; or other
17	combinations of structures and uses that depart from standard development. The uses
18	permitted in a PUD are those designated in the approved PUD Plan. Density limits are
19	used to determine the maximum number of permitted dwelling units.
20	
21	Planned Unit Developments containing one single zoning district shall be annotated with
22	the zoning district (PUD "RE", PUD "R-20", etc.) and may be developed to the density
23	indicated in the Maximum Density table in subsection (2) below.
24	
25	Planned Unit Developments which contain more than one zoning district shall have each
26	zoning district annotated as (PUD "RE", PUD "R-20", etc.) and each individual district
27	may be developed to the density indicated in the Maximum Density table in subsection
28	(2) below.
29	SECTION 3. Amendment "D"
30 31	SECTION 5. Amendment D
32	Chapter 35 Article III, Division 2, Section 35-311 (entitled Use Regulations) is herby
33	amended by adding the language that is underlined (added) to the existing text of
34	said section as follows:
35	
36	35-311 Use Regulations
37	Table 311-1
38	
39	274
40	$\mid NA \mid$
41	
42	Not Allowed Uses. "NA" within the use matrix of Table 311 or 312, indicates a use that
43	the City Council, in consultation with the San Antonio Water System, has deemed
44	<u>inappropriate</u>
45	

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Chapter 35 Article III, Division 2, Section 35-311 (entitled Use Regulations) is herby amended by adding the language that is underlined (added) and deleting the language that is stricken (deleted) to the existing text of said section as follows:

35-311 Use Regulations

Table 311-2 NON-RESIDENTIAL USE MATRIX

	TABLE 311-2 NON-RESIDENTIAL USE MATRIX												
	PERMITTED USE	0-1	O-2	NC	C-1	C-2	C-3	D	Г	I-1	I-2	ERZ	(LBC S
Alcohol	Alcohol - Bar And/Or Tavern			<u>S</u>	<u>S</u>	P	P	P	P			P	2540

SECTION 5. Amendment "F"

Chapter 35 Article III, Division 2, Section 35-311 (entitled Use Regulations) is herby amended by adding the language that is underlined (added) and deleting the language that is stricken (deleted) to the existing text of said section as follows:

35-311 Use Regulations

Table 311-1 Residential Use Matrix

			T	'ABI	LE 3	11-1	RE	SID	EN'	ΓΙΑ	L U	SE N	/AT	RI	K				
PERMITT ED USE	RCD	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	FUNCTI	STRUC
Dwelling - Hud-Code Manufactu red Homes (Residenti al) (Requires "MH" Special District zoning)											₽	₽					₽	100	11 50

SECTION 6. Amendment "G"

Chapter 35 Article IV, Division 3, Section 35-422 (entitled Conditional Zoning) is herby amended by adding the language that is underlined (added) and deleting the language that is stricken (deleted) to the existing text of said section as follows:

35-422 Conditional Zoning

(e) Criteria

(1)Permitted Uses

Notwithstanding any provisions of this Chapter to the contrary, a conditional zoning district may be permitted as provided in this section so long as the criteria for approval of a rezoning are met (see § 35-422-1). A conditional zoning district does not eliminate the landowner's right to use the property subject to the Application for any use permitted in the base zoning district. Uses permitted by right in the districts set forth in Column (A) of Table 423-1, below, may be permitted pursuant to a conditional zoning district approved within the zoning districts set forth in Column (B) of Table 422-1, as follows:

(e) Criteria

(1) Permitted Uses

Notwithstanding any provisions of this Chapter to the contrary, a single conditional land use from a less restrictive zoning district may be permitted in a more restrictive zoning district on a single property or a single platted lot as provided in this section so long as the criteria for approval of a rezoning are met (Table 422-1). A conditional zoning district does not eliminate the landowner's right to use the property subject to the "Application" for any use permitted in the base zoning district. Uses permitted by right in the zoning districts set forth in Column (A) of Table 422-1, below, may be permitted pursuant to a conditional zoning district approved within the zoning districts set forth in Column (B) of Table 422-1, as follows:

SECTION 7. Amendment "H"

Chapter 35 Article III, Division 5, Section 35-353 (entitled "Neighborhood Preservation Districts") is herby amended by adding the language that is underlined (added) to the existing text as follows:

35-353 Neighborhood Preservation ("NP") Districts

(a) Purpose

The Neighborhood Preservation Districts are designed to protect <u>properties zoned "R-A, R-1a"</u>, "R-1b", or "R-1c" prior to June 4, 2001 and existing platted subdivisions which are substantially developed with single-family detached dwelling units. It is the policy of the City that these districts will be applied only to <u>properties zoned "R-A"</u>, "R-1a", "R-1b", or "R-1c" prior to June 4, 2001 or platted subdivisions which are recorded as of the effective date of this Chapter, in order to prevent such subdivisions from being further subdivided in a manner in order to avoid congestion in the streets, prevent safety hazards, protect the health and general welfare of subdivision residents, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of public facilities. The "NP" districts are not appropriate for the downzoning of unsubdivided parcels or tracts.

35-353 Neighborhood Preservation ("NP") Districts

(f) Properties Zoned Prior to June 4, 2001

Properties zoned "R-A", "R-1a", "R-1b", or "R-1c" prior to June 4, 2001 whether platted or remaining undeveloped will be converted to new zoning districts as indicated in Appendix D – Zoning District Conversion Matrix.

SECTION 8. Amendment "I"

Chapter 35 Appendix "D" 53 (entitled "Zoning District Conversion Matrix") is herby amended by adding the language that is underlined (added) and deleting the language that is stricken (deleted) to the existing text of said section as follows:

Appendix D

Zoning District Conversion Matrix

(B)
1938 Zoning
1965 Zoning District

R-A
Planned Unit Development
"PUD" *1

(B)
1938 Zoning
(C)
New Classification
New Classification
Planned Unit Development
Planned Unit Development "PUD" *1

*1 Existing PUDs under the 1965 zoning ordinance will be converted to a designation that shall include a prefix designation (such as P "R6") that most closely represents the prefix applied prior to the effective date of this ordinance in accordance with the foregoing conversion table.

Chapter 35 Articles III, Division 2, Table 311-2 is herby amended by adding to language that is underlined (added) to the existing text as follows: 35-311 Use Regulations Table 311-2 NON-RESIDENTIAL USE MATRIX TABLE 311-2 NON-RESIDENTIAL USE MATRIX PERMITTED USE Auto Auto Alarm & Radio – Retail (sales and installation as a primary use) Section 10. All other provisions of Chapter 35 of the City Code of San Antonio shall remain in full force and effect unless expressly amended by this ordinance. SECTION 11. Should any Article, section, Part, Paragraph, Sentence, Phrase, Clause or Word of this ordinance, or any appendix thereof, for any reason be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if the abbeen enacted and ordained without the portion held to be unconstitutional or invalid or ineffective. SECTION 12. Notice of these changes to the Unified Development Code shall not require the Publication in an official newspaper of general circulation as required in Chapter 35 Article IV, Division 1, Table 403-1. SECTION 13. The publishers of the City Code and the Unified Development code are Authorized to amend said Codes to reflect the changes adopted herein. SECTION 14. This ordinance shall become effective ten (10) days after passage. PASSED AND APPROVED this the													
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